

REMARKS

This amendment is in response to the Office Action of July 28, 2005 in which claim 10 was allowed, claims 17-28 were rejected and claims 20-22 objected to.

Regarding the objection to claims 20-22, they have been amended to remove the reference numerals and withdrawal of the objection is requested.

Regarding the novelty rejection of claims 17-22, the independent claims 17-19 have been amended to distinguish over the Citta reference.

The cited reference of Citta contains a passage of text in column 5, lines 20-49, where the author describes what the "indications transmitted downstream" comprise in Citta. The amendment above is novel over this passage of the cited reference for several reasons. First, the above amendment requires the indications to be located "in control bytes of at least two slot pairs of a downstream frame", while Citta only says that the downstream data frame has four sections. The disclosure of Citta does not mention slot pairs of the downstream frame; neither does it say that the indications would be located in control bytes of at least two slot pairs. Second, the above amendment requires there to be "indicator flag bits". Citta does not disclose this, because it only mentions a range parameter, a mini slot parameter, acknowledgements of reservation requests and data. Third, the above amendment requires there to be either a "collision feedback information" field or an "OAM data field". Citta only discloses a "data" field, which is not the same as the specifically recited OAM data field and certainly not the same as a collision feedback information field.

Withdrawal of the novelty rejection of claims 17-22 is requested.

Regarding the obviousness rejection of claims 23-28, based on Citta et al and Williams, these claims are either directly or indirectly dependent on the amended independent claims and are patentable for at least the reasons given above in connection with overcoming the novelty rejection and the Examiner is requested to reconsider based on the above amendment and remarks and to withdraw the obviousness rejection of claims 23-28.

The indication of allowable subject matter in claim 10 is noted with appreciation but it is believed the Examiner will now be persuaded to allow all of the pending claims, as amended above.

The objections and rejections of the Office Action of July 28, 2005 having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 10 and 17-28 to issue is earnestly solicited.

Respectfully submitted,



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